

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**METROPOLITAN LIFE INSURANCE CO.,**

**Plaintiff,**

**vs.**

**1:20-CV-1351  
(MAD/DJS)**

**DAVID M. OLIVER; JAMES W. OLIVER;  
BARBARA FORTH; CAROL LEE OLIVER;  
PAUL R. WEBB, III; and THOMAS J. WEBB,  
*Individually and as Executor of the Estate of Paul  
R. Webb, II,***

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

**DAVID M. OLIVER**

38 South Street  
Marion, Massachusetts 02738  
Defendant *pro se*

**JAMES W. OLIVER**

6 Sagamore Drive  
Simsbury, Connecticut 06070  
Defendant *pro se*

**BARBARA FORTH**

2997 River Reach  
Williamsburg, Virginia 23185  
Defendant *pro se*

**CAROL LEE OLIVER**

80 Wharf Street, Unit D.  
Salem, Massachusetts 01970  
Defendant *pro se*

**TREY SMITH LAW PLLC**

287 N. Greenbush Rd.  
Troy, New York 12180-8514  
Attorneys for Defendants Paul R. Webb, III  
and Thomas J. Webb

**YOUEL C. SMITH, III**

**Mae A. D'Agostino, U.S. District Judge:**

**ORDER**

Plaintiff, Metropolitan Life Insurance Company, brought this interpleader action on March 10, 2020, in the District of Massachusetts against Defendants David M. Oliver, James W. Oliver, Barbara Forth, Carol Lee Oliver, (hereinafter collectively the "Oliver Defendants"), Paul R. Webb, III, and Thomas J. Webb (hereinafter collectively the "Webb Defendants"). Dkt. No. 1. On October 16, 2020, the District of Massachusetts transferred this action to the Northern District of New York. Dkt. No. 101.

Trial commence on May 15, 2023. On May 18, 2023, the jury returned a verdict in favor of the Oliver Defendants and judgment was entered in their favor. *See* Dkt. No. 260. In a mandate issued on July 30, 2024, the Second Circuit affirmed the judgment entered by this Court. *See* Dkt. No. 273.

Following the Second Circuit's mandate, the Oliver Defendants filed a letter motion seeking disbursement of the life insurance benefits (the "Interpleader Funds") that have been held by the Clerk of the Court in an interest bearing account since soon after this action was commenced. *See* Dkt. No. 274. Following receipt of the Oliver Defendants' letter, the Court issued a text order requesting the Oliver Defendants to provide the names and addresses for each of the beneficiaries and whether the funds are to be distributed evenly between them. *See* Dkt. No. 275. The Oliver Defendants have since instructed the Court that the Interpleader Funds are to be evenly distributed among the four of them and provided their current addresses. *See* Dkt. No. 277.

Accordingly, the Court hereby

**ORDERS** that the Clerk of the Court shall disperse the Interpleader Funds, divided into four equal sums, to the Oliver Defendants, with payment being sent to the addresses set forth above; and the Court further

**ORDERS** that the Clerk of the Court shall serve a copy of this Order on the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

Dated: November 15, 2024  
Albany, New York

  
**Mae A. D'Agostino**  
**U.S. District Judge**